

Approved

Lincoln Planning Board

May 23, 2007

7:00 p.m.

A meeting of the Planning Board was held on Wednesday, May 23, 2007, at the Town Hall, 100 Old River Road, Lincoln RI.

Chairman Mancini called the meeting to order at 7:02 p.m. The following members were present: Michael Reilly, Fred Ordonez, Gerald Olean, Kenneth Bostic, John Hunt, John Mancini, and Greg Mercurio.

Also present were Town Planner Albert Ranaldi and Town Engineer N. Kim Wiegand.

Candice Larson kept the minutes.

Chairman John Mancini advised that there were seven members present, and the Board did have a quorum.

SECRETARY'S REPORT

Mr. Mercurio made a motion to defer the reading of the minutes until the next meeting. Mr. Olean seconded the motion. The motion passed unanimously.

CONSENT AGENDA

Chairman Mancini reminded the Planning Board that the consent agenda is voted on the total agenda, which includes zoning applications, correspondence and miscellaneous. If there any particular item that the Board would like to be voted upon separately, there is the opportunity to do that.

Mr. Mercurio made a motion to remove the application of John Petrarca from the zoning applications on consent agenda for separate consideration. Mr. Reilly seconded the motion. The motion passed unanimously.

There was no correspondence or miscellaneous items for consideration.

Mr. Olean made a motion to accept the consent agenda as amended. Mr. Reilly seconded the motion. The motion passed unanimously.

MAJOR LAND DEVELOPMENT

a. Drive-Thru Establishment AP 41 Lot 69 Preliminary Plan Land Development

Jason M. Ruotolo George Washington Hwy. Discussion/Approval

Mr. Mancini noted that on the TRC recommendation there is an error and the plan is stated as a master plan but it is a preliminary plan.

Mr. Ranaldi noted that it is a preliminary plan, and that he had the application well before the decision time had expired. They did receive an extension to April 25, 2007, but due to scheduling he asked the applicant to go on the May agenda instead but a written extension was not presented to the Board.

This project is the land development of 1.24 acres of land on Rt. 116. The applicant is looking to put in a commercial building with a drive through. There is no tenant, because they are looking for a tenant. They have designed the building to accommodate something such as a fast food restaurant. The sewer and drainage work, but one particular concern is the water. The water for this particular project could come from Smithfield or from Lincoln and it is available but they would have to extend either line to reach the property. The Water Commissioner would like that decision to be secured, even if only in the form of a letter from the applicant stating what they plan to do.

Mr. Mancini noted that there was already a public hearing. He stated that the Planning Board cannot vote on the extension at this month's meeting because it was not placed on the agenda. According to open meeting laws, items can be added to an agenda but not voted upon.

Mr. Mercurio asked if the work being done would be dependent upon who the property is going to be leased to.

Brian P. Tollman of Tollman Engineering, with offices on Putnam Pike in Johnston, stated that the site has been designed for the most

intense use so parking requirements are set up for the worst case scenario. The companies that will be looking at the property want to know when the timeline for approval and construction will be to see how the timing works with their plans.

Mr. Tollman stated that the applicant will be extending Smithfield's water into Lincoln. It has been reviewed by Pare Engineering as they are the district review engineer. There is only the roadway parcel left, and there would be an emergency interconnection between Lincoln and Smithfield so that if either district experienced a catastrophic failure within the system, they can obtain water from an abutting district. The Director of Public Works/Water Commissioner in Smithfield has been out of the office, so it has been working through the process, but approval from DEM and DOT are in place. The only other one that is left that is not obtained is from NBC, but the applicant is waiting until the tenant is in place because there is a limited life on the permit time. Discussion with NBC has indicated that they are satisfied.

Mr. Mercurio asked if there were any specific remediation to dispose of the septic systems that are already in place. Mr. Tollman stated that the only necessary condition is to dispose of the material in a proper manner.

Mr. Bostic stated that the TRC recommended that the applicant apply to the FAA. Mr. Tollman noted that the parcel does lie within the airport district, and they have applied but it is not an expedited process to get approved. It would be a single story building, and the FAA is generally concerned only with height of buildings in the flight

line.

Mr. Olean made a motion to defer the decision to next month's meeting. The motion was seconded by Mr. Bostic. The motion passed unanimously.

MAJOR SUBDIVISION REVIEW

a. The Hills of Monticello AP 40 Lots 30 and 31 Master Plan

R.H. Jergensen Construction Co. Albion Rd. Discussion/Approval

Mr. Ranaldi stated that it is a master plan discussion. The applicant received a Certificate of Completeness on May 14, 2007. The Planning Board has until September 11th, or 120 days, to make a decision.

This is a subdivision of 14 single family residential lots, in an RA-40 district. It is a large piece of land off of Albion Rd. There is a proposal for one cul-de-sac that would run through the main parcel and a subordinate cul-de-sac with 3 properties off of it.

There is an error on the TRC report where it says that it is a preliminary plan and it should be a master plan.

This application requests three waivers, and the TRC would like the Planning Board to approve them before moving forward, and the recommendation is a public informational meeting if they are acceptable. The greatest waiver would be a waiver of the 900 ft. cul-de-sac because the proposed cul-de-sac is 1400 sq. ft. The

applicant did come in the preliminary planning with a loop road system, that the Town felt would create over 1,000 ft. of road that would have no houses on it. Therefore, from a maintenance and public safety standpoint, it did not benefit the Town.

Mr. Ranaldi stated that upon calculation, if it were a 900 ft. cul-de-sac, they could have approximately 12 houses on it. Therefore, for the 500 ft. gain, there will be 2 houses gained, as well as the 3 lots off of the subordinate cul-de-sac. The lots are large, most are 40,000 or greater, and the TRC shows that this is the best design for the particular property even though other designs would eliminate the waiver. The applicant is also speaking with the Fire District who also seem to be in favor of it. The property is surrounded by town-owned open space, so there is no chance of expanding upon the cul-de-sac to make it even longer.

The other two waivers have to do with a 2 ½ to 1 lot to width ratio on lots 8 and 30. Lot 8 is at the furthest end and 30 is the existing property, which is a unique lot because it follows the easement and cuts down the opportunity to develop the land. Lot 8 has wetlands which prevents the development of the back portion.

The TRC discussed the waivers, and there are lots 9 and 10 that do meet the 2 ½ to 1 lot to width ratio and have a small piece of lot 8 behind them. The Engineers did that so that they would not need to request 4 waivers on lot-to-width ratio. Because of the setup, it would be better to obtain the waiver than to have easements.

In considering that the lots are adjacent to town-owned open space, if it were redesigned and some donated to the town it would also

eliminate the waiver for lots 8 and 30.

Also, there is flooding in the area and the applicant has proposed off-site improvements to help the town with the flooding in the area.

Glen Jergensen of Jergensen Construction was present. Mr. Jergensen stated that he had worked with Chief Petrin and reviewed the design. Due to the topography of the land, the Chief agreed that the one cul-de-sac was the best solution. Jergensen Construction will get written confirmation from the Chief to show that he is in favor of the cul-de-sac.

The design has gone from a beginning of 21 lots, and it is now 14 without a loop road.

Mr. Mancini stated that his concern was the length of the road for safety purposes, and that the plan may be better if some of the land were donated to the town.

Mr. Reilly noted that, as a member of the TRC, there were not issues with the density of the development and that there should be documentation from the Chief that the cul-de-sac would work.

Mr. Bostic asked if the construction improvements would become part of the conditions on the project. Mr. Mancini noted that they would be.

Mr. Mercurio made a motion to accept the TRC's recommendation to continue to a public hearing with the added condition that prior to the scheduling of a meeting, the Town Planner should receive a letter

from the Chief addressing the concerns regarding the cul-de-sac and its public safety issues. Mr. Olean seconded the motion. The motion passed unanimously.

Mr. Mancini noted that an abutters list would have to be put together to notify of the public hearing.

b. Great Rd. Estates (a.k.a. Meadow View) AP 29 Lot 3 Preliminary Plan

Meridian Real Estate Services, Inc. Great Rd. Discussion/Approval

Mr. Ranaldi noted that this application is a preliminary plan discussion and approval. It is the subdivision of 13 acres of land into 14 conventional single family lots. It is in an RS-20 zone. There is a main cul-de-sac with a smaller cul-de-sac off of it. The Planning Board has until July 10th to make a decision and did have a public hearing and site walk on May 9th. The applicant does have a DEM wetlands approval permit, water and all necessary permits needed. The TRC does recommend approval with conditions including:

- The applicant decrease the proposed size of the paved cul-de-sac to the standard size as specified in the subdivision regulations. The 60-foot right of way easement should be kept, but the amount of pavement reduced.

- Follow the specific recommendations in the Traffic Impact Analysis

provided by the Traffic Engineer who made four specific recommendations.

- The applicant receive a permit from the Narragansett Bay Commission for the sewer connections.

- A note must be added to the final recorded plans stating that no finished floors or basements shall be constructed at or below the level of the seasonal ground water elevation.

- A note must be added to the final recorded plans stating that the zoning setback shown on the recorded plans are for reference only and actual setbacks will be determined at the time of development and construction.

- A note must be added to the final recorded plans stating that the proposed new houses must have drywells installed to capture roof run-off.

Mr. Ranaldi noted that the phasing issue that was brought up at a previous meeting had been resolved and the project will be done in 2 phases.

Mr. Leonard Bradley of DiPrete Engineering was present. Mr. Bradley stated that previously there were 3 phases in the plan, but phases 2 and 3 are now combined so that the road will be built at one time.

Mr. Hunt made a motion to approve the TRC recommendation with conditions, seconded by Mr. Mercurio.

Mr. Hunt amended the motion to reflect no phasing beyond the building of the first house, seconded by Mr. Mercurio. The amended

motion passed unanimously.

Mr. Hunt made a motion to delegate the final approval to the administrative officer, seconded by Mr. Mercurio. The motion passed unanimously.

Chief Rick Petrin was present and stated that he was comfortable with the plan for the cul-de-sac and would have written paperwork stating such before the public hearing at the next meeting.

MINOR SUBDIVISION REVIEW

**a. Morris Minor Subdivision AP 41 Lots 10 and 11 Preliminary Plan
Matthew L. and Raymond E. Morris Albion
Rd. Discussion/Approval**

Mr. Ranaldi stated that this is a minor subdivision of 2 lots into 3 residential lots. The Planning Board has until June 13, 2007 to make a decision. The TRC reviewed, and there were some specific numbers that need to be shown on the plan regarding the forced main and at what elevation it should be at.

Mr. Mancini noted that because all of the needed information was not included, the Planning Board would be unable to make a decision yet and recommended that the applicant request an extension.

Mr. Morris noted that the calculations have been done, they just have not been put on the prints as required, and he requested a 90-day extension, which he will do formally with the Town Planner.

Assistant Solicitor Kristen Rao stated that the Planning Board may vote on the extension because it is part of the application before them.

Mr. Mercurio made a motion to defer the status of the application until the next month's meeting. Mr. Hunt seconded the motion. The motion passed unanimously.

ZONING APPLICATIONS

There was one zoning application, of John Petrarca, for consideration because it was removed from the consent agenda.

Mr. Mercurio requested specifics of the support used by the TRC to recommend denial.

Mr. Ranaldi noted that there is very little support provided by the applicant for the dimensional variance of 47'. It will be a large cabana, of 1,000 sq. ft., that will be used for storage, but there was no indication as to why the relief of the setback is needed.

Mr. Ranaldi noted that in an RA-40, the setback should be 50' so it is

a violation since they want to go up to 8' off of the property line. If the structure were 500' or less, or if it were 2 structures of 500', they would be able to go up to 6' off of the property line. There are tennis courts present, but they are not mentioned in the application as being the reason for the variance.

Mr. Mancini noted that in the past, if there was insufficient evidence, the Planning Board would defer the decision until it could be provided, but it would not be denied.

Mr. Mercurio made a motion that there was not enough factual information present to make an informed decision to approve or deny, and that there should be a neutral recommendation to the Zoning Board. The motion was seconded by Mr. Bostic. The motion passed by a vote of 6-2 with Mr. Hunt and Mr. Reilly voting against the motion.

There being no further business to discuss, on a motion made by Mr. Olean and seconded by Mr. Reilly, it was unanimously voted to adjourn the meeting.

The meeting adjourned at 8:02 p.m.

Respectfully Submitted,

Candice Larson

Technical Review Committee Report:

On May 16, 2007, at 2:30 pm, the Technical Review Committee met to review the agenda items for the May 23, 2007, meeting of the Planning Board. In attendance were Al Ranaldi, Kim Wiegand, Michael Reilly, Russ Hervieux, John MacQueen, Peggy Weigner, and John Faile. Below are the Committee's recommendations:

Major Land Development Review

a. Drive-Thru Establishment AP 41 Lot 69 Preliminary Plan Land Development

- Jason M. Ruotolo George Washington Hwy Discussion / Approval

This application is under the 2005 Subdivision Regulations and represents the commercial development of a single lot containing approximately 1.242 acres. The review stages were combined during the October Planning Board meeting. Therefore, this project is in front of the Planning Board for a Preliminary Plan Land Development Review. On October 16, 2006, the project submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within

such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Preliminary Plan review must be made by February 13, 2007 or within such further time as may be consented to by the applicant. On January 24, 2007, the applicant asked for and received an extension to April 25, 2007 in order to receive comments and final approval from RIDEM. The applicant was prepared to attend the April meeting however; the Administrative Officer asked if they could attend the May meeting. The applicant requested in writing a one month extension in April so they could be heard during the May meeting.

The Technical Review Committee and the Engineering Division have reviewed the above proposed subdivision according to the 2005 Land Development and Subdivision Regulations preliminary plan requirements and standard engineering practices. The plans reviewed were entitled "Preliminary Plan Submission, Drive Thru Establishment, AP 41 Lot 69", Lincoln, Rhode Island, sheets 1-7, prepared for the applicant, Jason Ruotolo by Thalmann Engineering Co., Inc., dated September 2006. Also received were the following documents: Drainage Report & Calculations prepared for Jason Ruotolo by Thalmann Engineering Co., Inc. dated October 20, 2006 and Traffic Impact Study Route 116 Commercial Development prepared for Thalmann Engineering, Inc. by RAB Professional Engineers, Inc. dated October 2006. In addition, a report entitled "Drive Thru Establishment, George Washington Highway AP 41 Lot

69, Master Plan-Development Impact Narrative”, dated September 2006 had been reviewed prior to the preliminary submission. Below are the Technical Review Committee’s comments.

Traffic/Road/Site

Access to the site is from a State Highway, Route 116, George Washington Highway. The project will require a Physical Alteration Permit (PAP) from RIDOT for access to the property for preliminary plan approval. A memo from RIDOT regarding the project was received December 12, 2006. This memo contained two comments relevant to the site plan. One comment addressed the adequacy of space for the stacking of vehicles queuing in the drive thru. The RIDOT requires minimum space for ten vehicles measured back from the order board. The other comment concerns the exit. According to the Traffic Impact Report, two exit lanes are recommended; one for turning left and one for turning right. The RIDOT memo specified limiting the exit to one lane. The engineer has shown accordingly, one exit lane with an island between it and the entrance lane. This would allow a left turn lane to be constructed in the future, should it be needed. This redesign was shown on the most recently revised plan set. It appears that the guard rail by retaining wall at the access road should be extended further to where the grade differential is less than three feet. The TRC also recommends that the Albion Fire Department review the plans for fire and rescue service safety and submit a letter on their conclusions. This project is also located close to the North Central Airport. The TRC recommends that the

applicant submit to the FAA for a review.

Sanitary Sewers

The development is proposed to flow to the Narragansett Bay Commission (NBC) interceptor on Route 116. Approval from NBC will be required as a condition for preliminary approval.

Public Water Service

The Lincoln Water Commission (LWC) has confirmed the availability of public water service in a letter dated December 7, 2006. Final approval from LWC must be a condition of approval for the land development. The water line will be required to be extended from Lincoln, or alternatively, water service could be sought from the Town of Smithfield. Since the development is in Lincoln, approval would be required from the LWC as well as the water authority in Smithfield. While the Lincoln Water Commission has stated that water is available, the Superintendent expressed his concern regarding which water system the development will connect to. The LWC Superintendent would like the applicant to explore the alternative and submit their choice in writing to the Commission before the Planning Board grants preliminary plan approval.

Environmental/Drainage

The existing site drains mainly to wetlands on the property. The wetlands have been located in the field and verified by RIDEM. Preliminary approval will require a permit from RIDEM Wetlands to

cross the wetlands. The plans show an underground detention system which will discharge into the wetlands. The drainage facilities are proposed to include mitigation of storm water flows for both rate of flow and volume. The underground system includes some infiltration of storm water from not only the roof but also pavement. The system design allows a minimum of one foot separation from the seasonal high groundwater elevation. While this design is the standard for a conventional detention basin, it does not meet the requirement for an underground injection control (UIC) system which requires a minimum three foot separation. It is recommended that the developer receive an opinion from RIDEM as to whether this system requires a UIC permit. The wetlands are connected under the State highway to the wetlands on the south side of Route 116 by a drainage pipe that appears to be flat or adversely sloped. The invert of the pipe is also currently obscured by debris and/or dirt. This is a concern that should be addressed in the PAP application, since it potentially impacts not only the State highway and drainage system, but also the access way to the Tennessee gas line facility. Location of any existing wells and/or septic systems within 200 feet of the property must be shown on the plan. Any onsite wells or septic systems will need to be properly closed and/or removed.

The TRC recommends that the applicant address this concern and come back to the Planning Board next month.

Major Subdivision Review

a. The Hills of Monticello Subdivision AP 40 Lots 30 and 31 Master Plan Discussion /

- R.H. Jergensen Construction Co. Albion Road Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of two residential lots into fourteen single-family residential lots. All lots are accessed from a proposed roadway ending in a cul de sac. Another cul de sac is located off of the proposed main roadway. The subject project is located in zoning district RA-40 (40,000 square feet – Residential Single Family). On May 14, 2007, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Preliminary Plan review must be made by September 11, 2007, or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have reviewed the above-proposed subdivision according to the 2005 Land Development and Subdivision Regulations master plan submission standards and requirements and standard engineering practices. This project is in front of the Planning Board for a master plan discussion. The submission includes a plan entitled “The Hills of Monticello, Albion Road”, AP 40, Lots 30 & 31, in Lincoln, Rhode

Island, prepared for R.H. Jergensen Construction Co. by Pare Engineering Corp. dated April 2007. Also reviewed was a narrative document entitled Master Plan by the above engineer dated April 2007. Below are the TRC recommendations for this project.

Site Plan

The existing site has many challenges to development. It is a policy of the Public Works Department that all drainage facilities outside of the public right-of-way must be shown within easements on individually owned lots. All detention basins must be privately owned and accessible from a public right-of-way. A note regarding this should be included on the plans. The following items must be included for master plan review under Section 22 of the Subdivision Regulations.

Articles A (2) g. abutters names and addresses

A (2) h. level of class of survey

A (2) i. floodplain information

A (3) g. easements

. B (2) f. size of pipes

B (2) j. private wells within 200' (if any)

C (4) analysis of impacts

C (6) topography within 200' (not consistently shown).

The following site plan concerns need to be resolved.

- All drainage facilities outside of the public right of way must be

shown within easements.

- The buildable area for each lot has been determined; however it is not clear whether the easements for the drainage lines or basins have been included, since no easements are shown on the site plans.**
- Landscaped cul de sac centers are not acceptable.**
- The sidewalks need to be constructed on the short, western cul de sac.**

Traffic

Albion Road is a State road. The access to the subdivision will require a Physical Alteration Permit from RIDOT.

Wetlands/Groundwater

The proposed subdivision will require a RIDEM Wetlands permit. A certified soil evaluator must determine the seasonal high ground water elevations at the locations associated with proposed detention basins and other critical areas on the property. The Town Engineer must witness the excavation of test pits. It is recommended that a condition of approval must be that no detention basins or house basements or finished floors are to be constructed into the elevation of the seasonal high ground water. The TRC has serious concerns regarding the extensive removal of earth and blasting of ledge in order to install the proposed roadway. The impact to the groundwater hydrology is likely to be critically impacted. The TRC would like to see how this is going to be mitigated.

Utilities

The plan shows public water and sewer connections to the proposed lots. Sewer availability must be sought from the Lincoln sewer supervisor. Gravity sewers are proposed. The flows from the development will also require approval from the Narragansett Bay Commission. The superintendent of the Lincoln Water Commission (LWC) has communicated to the Town Engineer that public water service is available to this project. The water line is shown looped within the road right of way to meet the LWC requirements.

Drainage

Storm water runoff from Albion Road which currently flows down Meadowbrook Road is proposed to be collected and redirected to a lower reach of the stream on the north side of Albion Road. This is proposed as an off site improvement to alleviate existing drainage problems in the immediate area. It is not clear whether retention or detention basins are proposed, as no outlets from the ponds are shown. If no outlets are proposed then the basins must provide storage for the 100 year frequency storm and an emergency overflow spillway.

Waivers

The following waivers to the subdivision regulations are requested by the applicant.

- Length of cul de sac: it is 570 feet greater than allowed in the RA-40 zone.

- **2 ½ to 1 lot length to width ratio: lots 8 and 30 do not fit the ratio.**

The TRC discussed the above noted waivers and concluded that each waiver is specific to this site and the proposed site design. The TRC feels that the waiver for the length of cul de sac is appropriate. The TRC did a quick calculation and determined that if the roadway was constructed at the standard 900' and the property did not have any physical constraints to development, the applicant would be allowed to develop 12 house lots. However, due to the physical constraints to development, the site and the proposed 1400' long roadway can only support 14 house lots. This represents only two house lots more than what would be allowed on a site with a 900' roadway and no development constraints.

The TRC discussed the two requested waivers from the length to width ratio. A suggestion came out of this discussion that these two lots can be reconfigured to meet that standard and the remaining land area be donated to the Town as open space. These two areas directly abut the Handy Pond Preserve area. The TRC also feels that the presented configuration of Lots 9 and 10 should extend to the existing boundary line. This would create two lots with greater than the standard 2 ½ to 1 lot length to width ratio, however, the TRC feels that this would make for better lot configurations.

Based on the Master Plan submission, the Technical Review Committee feels that the applicant can address the above noted concerns. If the Planning Board agrees with the TRC analysis of the

waivers and grants approval of them, the TRC recommends that the application proceed to a public informational hearing.

b. Great Rd Estates (f.k.a. Meadow View) AP 29 Lot 3 Preliminary Plan Discussion /

- Meridian Real Estate Services, Inc. Great Road Approval

This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into fourteen conventional single-family lots. The subject lot contains approximately 13.0 acres of land and is located in zoning district RS-20 (20,000 square feet – Residential Single Family). The proposed homes are to be serviced by public water and gravity sewers. The proposed house lots are located along a main roadway ending in a cul de sac. A smaller cul de sac is located off of the main roadway. On March 12, 2007, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Preliminary Plan review must be made by July 10, 2007, or within such further time as may be consented to by the applicant. A public hearing was held on May 9, 2007.

The Technical Review Committee and the Engineering Division have reviewed the above-proposed subdivision according to the Land

Development and Subdivision Regulations preliminary plan submission standards and requirements as well as standard engineering practices. The recent submission includes a set of five sheets entitled "Preliminary Submission, Great Road Estates, (formerly Meadow View)", located on Great Road, Lincoln, Rhode Island, AP 29 Lot 3, prepared for Meridian Real Estate Services, Inc., by DiPrete Engineering Associates, Inc., latest revision date 1/31/07. Also received was the "Stormwater Management Report & Soil Erosion and Sediment Control Plan" prepared for applicant above by DiPrete Engineering Associates, Inc. revision date February 2007. A letter dated September 8, 2006 from the RIDEM approving the plans as an Insignificant Alternation was received. The following items were previously received:

- "Traffic Impact Assessment" revised August 11, 2005, prepared by RAB Professional Engineers, Inc. for Meridian Real Estate Services, Inc. for the above project.
- "Master Plan Narrative and Supporting Material", prepared by the same engineers dated 2/14/05.

The new submissions were reviewed and the following was noted.

Site design

The site plan shows 14 lots with two cul de sacs. In order to meet the requirements for frontage, each cul de sac is proposed with paved 50 foot radius and 60 foot radius right of way. These radii are greater than the required Town standard; however this allows the length of

frontage to be met. The Technical Review Commission (TRC) approves of the greater ROW, but prefers the pavement to remain the standard 40 foot radius. The TRC recommends the greater ROW to be allowed to compensate for the site design which gives the town a conservation easement to keep and enhance the rural character along Great Road. The alternative would have cut frontage lots with driveways on Great Road.

Wetlands

The proposed development has received Preliminary Determination from the RIDEM Wetlands approving the plans as an insignificant alteration, Permit #06-0362.

Utilities

The subdivision is proposed to be connected to public sanitary sewers and water. The sanitary sewers system is proposed to be gravity. No new pumping station is proposed. The development would flow by gravity sewer in Great Road to the Great Road South pumping station. Capacity in this pumping station is adequate. Approval is required for sewer service to the project from the Narragansett Bay Commission (NBC). A permit from NBC for the sewer connection must be a condition of approval. The Lincoln Water Commission has given preliminary approval to the design for looping the public water line in a letter dated February 15, 2007.

Drainage

Proposed drainage is shown on the plans with a proposed location for a detention basin. The basin is accessible to the road via a curb cut to facilitate maintenance. Soil evaluations performed in the vicinity of the detention basin indicate that the bottom elevation of the detention basin would be close to the seasonal high groundwater elevation. It is required that there is no seepage or groundwater flowing into the basin as a condition of the subdivision approval. The groundwater elevations across the site were determined by a certified soil evaluator; however, the Town Engineer did not witness the test holes performed for this evaluation. No test hole information is available for lots 11 and 12. A condition of the subdivision approval must be that any finished floor or basement be constructed above the seasonal high groundwater elevation. General note #6 on sheet 4 needs to be revised to reflect this condition for approval. However, it appears that the proposed houses and lots are set and graded above the seasonal high groundwater elevation. It is also recommended that the material and construction of the drainage pipes be such so as to prevent ground water inflow into them.

Some storm water runoff from Great Road discharges along the road onto the property and must be allowed to continue to flow. Storm water flows overland from the site to a stream on the eastern side of the property and also to an isolated wetland in the southern most corner of the property. Increased flow through the wetlands could impact abutting property owners and drainage on Great Road. Design and construction of the detention basin is critical. Responsibility for keeping the detention basin clear of debris and

mowed must belong to the individual property owner on whose land the basin is located. The Town would be responsible for structural maintenance only. Notes on the plans should be revised to reflect this concern.

Traffic

The Traffic Impact Assessment reviewed the traffic safety issues on Great Road and at the key intersections. According to the report, there is adequate sight distance at the proposed entrance to the project. The updated report assessed the conditions of the intersection with Route 116 as well as Great Road. The report made specific recommendations to improve existing traffic safety on Great Road. The Engineering Office recommends that these be a condition of preliminary plan approval. These must be shown / located on the construction plans:

- Centerline striping along Wilbur Road.**
- Two signs: “Curve Warning” and “Intersection Ahead”.**
- Removal of a cedar near pole #153 on Great Road.**
- Selective clearing and grading within the roadway right of way along the frontage of three proposed lots within the proposed scenic road conservation easement, specifically within 10 feet of the road right of way.**

Based on the recent submission, the Technical Review Committee feels that the concerns noted above are minor in nature. The public presented several concerns at the Public Hearing. The TRC feels that

these concerns have been addressed by the applicant in the current plans. Therefore, the TRC recommends that this application be Approved with Conditions. Below are the recommended conditions of approval.

- 1. The applicant decrease the proposed size of the paved cul-de-sac to the standard size as specified in the Subdivision Regulation and keep the proposed 60' right-of-way easement.**
- 2. The applicant follow the specific recommendations presented in the report entitled; "Traffic Impact Assessment" revised August 11, 2005, prepared by RAB Professional Engineers, Inc. for Meridian Real Estate Services, Inc.**
- 3. The applicant receives a permit from NBC for the sewer connection.**
- 4. A note must be added to the final recorded plans stating that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation for the new lot. General note #6 on sheet 4 needs to be revised to reflect this condition for approval.**
- 5. A note must be added to the final recorded plans stating that the zoning setbacks shown on the recorded plans are for reference only. Actual setbacks to be determined at the time of construction/development of the land.**
- 6. A note must be added to the final recorded plans stating that the proposed new house must have dry wells installed to capture the roof runoff.**

Minor Subdivision Review

a. Morris Minor Subdivision AP 41 Lots 10 and 11 Preliminary Plan Discussion /

- Matthew L. and Raymond E. Morris Albion Road Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of two lots into three residential lots. All lots are accessed from an existing road. The proposed project is classified as a Minor Subdivision. On April 9, 2007, the Preliminary Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations – Section 14(G), “if no street creation or extension is required, the Planning Board shall approve, deny, or approve with conditions, the preliminary plan within sixty five (65) days of certification of completeness, or within such further time as is agreed to by the applicant and the Board, according to the requirements of Section 8 herein. Therefore, a decision on the Preliminary Plan review must be made by June 13, 2007 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have reviewed the above proposed subdivision according to the 2005 Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering practices. The submission includes a plan entitled “Minor Subdivision Plan”, AP 41 Lots 10 & 11, Albion Road in Lincoln, Rhode Island, prepared for Matthew L. & Raymond E. Morris by Baron

Site Plan

The plan must clearly include the vertical datum point. The final record plan must be prepared and stamped by a RI registered land surveyor. For any new bounds, granite, not iron pipe, must be installed at the outer subdivision corners. The Town solicitor must review the easement for the private sewer connections prior to recording. The location of the driveway for the proposed new house lot must be approved by RIDOT through a Physical Alteration Permit as a condition of this subdivision approval. There appears to be adequate buildable area for each of the lots. Existing wells and septic disposal systems on the properties or within 200 feet on abutting lots have been shown.

Wetlands

Wetlands have been shown on the plan. It appears that the wetlands are outside of any areas of disturbance, so a permit or a letter of non-jurisdiction from RIDEM Wetlands is not required. Per the Town ordinance a sedimentation and erosion control plan must be submitted and approved before any construction or earth disturbance is performed on site.

Utilities

The new lot is to be connected to public water as shown. The applicants propose to connect to the gravity sewer service lateral

installed for lot 10 for the proposed house lot and the existing house. The private lines are proposed to be located within a private 20 foot wide easement alongside Albion Road. These sewers would not be a part of the Town's sewer system. The applicant must get written confirmation from the sewer supervisor that public sewers are available for the new lot and the house on existing lot 11. The applicant must obtain a permit from Narragansett Bay Commission for any proposed new sewer discharges. For three lots to connect to the public sewer system through the existing sewer stub there needs to be a manhole or clean out structure at the junction with the private line. The plan must show information on the private lines: whether gravity or forcemain, inverts, slopes, type of pipe and details. This can be shown in plan view or in profile. Any existing wells or septic systems to be abandoned on the subject lots must be closed according to state regulations.

Based on the above noted concerns, the TRC recommends that the applicant addresses the following concerns and come back before the Planning Board for review. Below are the following concerns.

1. The applicant receives dimensional relief for the existing zoning issues relating to the existing house.
2. A note must be added to the final recorded plans stating that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation for the new lot.
3. A note must be added to the final recorded plans stating that the zoning setbacks shown on the recorded plans are for reference only.

Actual setbacks to be determined at the time of construction/development of the land.

4. A note must be added to the final recorded plans stating that the proposed new house must have dry wells installed to capture the roof runoff.

5. Granite bounds must be installed and shown on the final recorded plans marking the location of all new property corners of the new lot.

6. The applicant must get written confirmation from the sewer supervisor that public sewers are available for the new lot and the house on existing lot 11.

7. For three lots to connect to the public sewer system through the existing sewer stub there needs to be a manhole or clean out structure at the junction with the private line.

8. The plan must show information on the private lines: whether gravity or forcemain, inverts, slopes, type of pipe and details. This can be shown in plan view or in profile.

9. Any existing wells or septic systems to be abandoned on the subject lots must be closed according to state regulations.

Zoning Applications (*) – June Zoning Applications

Amica Mutual Insurance Co, 100 Amica Way, Lincoln, RI – Special Use Permit for the installation of an identification sign in exceeding 64 sq. ft with company name facing Route 146 Northbound.

AP 31, Lot 176 Zoned: ML 0.5

Members of the Technical Review Committee visited the site of the proposed sign and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of the Special Use Permit for the installation of an additional sign. The site plans specifically details the location and type of the new proposed signage. The Technical Review Committee feels that due to the unique location and size of the property that the requested signage will clarify its location along Route 146 highway.

JCM, LLC, 3434 Mendon Road, Cumberland, RI – Application for Dimensional Variance seeking lot width relief for the purpose of subdividing property located at Jenckes Hill Road, Lincoln, RI.

AP 26, AP 2 Zoned: RA-40

Currently, there are no submitted subdivision plans for review by the Planning Board. Therefore, the request for a dimensional variance is premature. No recommendation is offered.

John & Sandra Petrarca, 2 Michael Drive, Lincoln, RI – Dimensional Variance for rear yard setback for the construction of a cabana with storage on property located at 2 Michael Drive, Lincoln, RI.

AP 45, Lot 339 Zoned: RA 40

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review

Committee recommends Denial of the application for a dimensional variance. The Technical Review Committee feels that the application does not meet any of the standards for relief of a dimensional variance as presented in the Zoning Ordinance. More specifically, the Technical Review Committee feels that the site plan and application does not represent the least relief necessary and is not due to the unique characteristics of the subject land. The Committee feels that the applicant can reduce the size of the proposed cabana, reconfigure the design, or relocate the proposed cabana to fit within the existing setbacks. The Technical Review Committee feels that the dimensional variance will alter the general character of the surrounding area and will impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.